

In the Supreme Court of the State of Alaska

State of Alaska, DHSS,
Appellant,

v.

**Planned Parenthood of the Great
Northwest,**
Appellee.

Supreme Court No. **S-16123**

Order

Costs & Attorney's Fees

Date of Order: **7/15/2019**

Trial Court Case No. **3AN-14-04711CI**

Before: Bolger, Chief Justice, Winfree, Stowers, Maassen, and
Carney, Justices.

Appellee, Planned Parenthood of the Great Northwest, filed its cost bill and itemization of attorney's fees on 4/16/2019; appellant, State of Alaska, DHSS, opposed it on 5/6/2019. By separate order and pursuant to AS 09.60.010 and Appellate Rule 508(d), Planned Parenthood as prevailing party is awarded its full reasonable attorney's fees and usual costs.

In addition to the costs delineated in Appellate Rule 508(d), Planned Parenthood has requested recovery of "\$1,791.39 in reasonable travel expenses" for its lead attorney's travel to Anchorage for oral argument. In *State, Dept. of Educ. v. Nickerson*¹ we recognized "The costs included in Appellate Rule 508(d) are not meant to preclude the . . . court's exercise of its sound discretion in awarding additional costs in a particular case." Because the requested travel expenses are for appellee's advocate at oral argument, this cost is also awarded.

¹ 711 P.2d 1165, 1170 (Alaska 1985).

Therefore, **IT IS ORDERED:**

1. Appellant shall pay Appellee \$505.48 for costs associated with copies and postage;
2. Appellant shall pay Appellee \$1,791.39 in reasonable travel expenses; and
3. Appellant shall pay Appellee \$98,625.00 for attorney's fees.

Entered at the direction of the court.

Clerk of the Appellate Courts

Meredith Montgomery

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